



UNITED STATES OF AMERICA
Federal Trade Commission
WASHINGTON, D.C. 20580

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MEMO ENDORSED

April 14, 2020

Via ECF

The Honorable Denise Cote
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1910
New York, NY 10007

Granted. The plaintiffs shall file on the docket a new public version of the complaint. 4.15.2020.



DENISE COTE
United States District Judge

Re: FTC v. Vyera Pharmaceuticals, LLC, 20-cv-00706 (DLC)

Dear Judge Cote:

Pursuant to Your Honor's Pretrial Scheduling Order (ECF No. 74), which provides until May 1, 2020, to join additional parties and to amend pleadings, Plaintiffs Federal Trade Commission and the State of New York are filing an Amended Complaint for Injunctive and Other Equitable Relief. The Amended Complaint adds six more states as plaintiffs—California, Illinois, North Carolina, Ohio, Pennsylvania, and Virginia—and claims brought under their laws. It also adds a limited number of new allegations, which primarily relate to the Food and Drug Administration's recent approval of a generic version of Daraprim.

Plaintiffs respectfully request permission to file a redacted version of the Amended Complaint. The information that Plaintiffs seek to redact in the Amended Complaint is the same information that Your Honor approved for redaction in the original Complaint in Your Honor's February 19, 2020 Order Granting Joint Motion to Seal Select Portions of the Complaint (ECF No. 41).

In accordance with Rule 7.B of Your Honor's Individual Practices in Civil Cases and with the requirements for electronic filing under seal, contemporaneously with this letter, Plaintiffs have publicly filed a version of the Amended Complaint with the proposed redactions. On a separate docket entry, Plaintiffs have filed under seal a version of the unredacted Amended Complaint with the proposed redactions highlighted. In this unredacted version, Plaintiffs have also designated with red boxes the proposed redactions covering information that is also limited to outside counsel under Your Honor's March 19, 2020 Order (ECF No. 71).

Thank you for Your Honor's consideration.

Sincerely,

/s/ Markus H. Meier

Markus H. Meier

cc: All counsel of record (via ECF)